

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:17-cv-00548-TSC**

KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA
UNIVERSITY v. UNITED STATES DEPARTMENT OF
HOMELAND SECURITY et al
Assigned to: Judge Tanya S. Chutkan
Case: 1:17-cv-00813-TSC
Cause: 05:552 Freedom of Information Act

Date Filed: 03/27/2017
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**KNIGHT FIRST AMENDMENT
INSTITUTE AT COLUMBIA
UNIVERSITY**

represented by **Jameel Jaffer**
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V.

Defendant

represented by

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Defendant**UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT**

represented by **David Michael Glass**
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LEAD ATTORNEY
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Defendant**UNITED STATES CUSTOMS AND
BORDER PROTECTION**

represented by **David Michael Glass**
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Date Filed	#	Docket Text
03/27/2017	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Filing fee \$ 400 receipt number 0090-4889730) filed by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Hellman, Matthew) (Entered: 03/27/2017)
03/27/2017	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Hellman, Matthew) (Entered: 03/27/2017)
03/27/2017	<u>3</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Susan Kohlmann, :Firm- Jenner & Block LLP, :Address- 919 Third Avenue, New York, NY 10022. Phone No. - 212-891-1690. Fax No. - 212-891-1699 Filing fee \$ 100, receipt number 0090-4890070. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration in Support, # <u>2</u> Proposed Order)(Hellman, Matthew) (Entered: 03/27/2017)
03/27/2017	<u>4</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Caroline M. DeCell, :Firm- Jenner & Block LLP, :Address- 919 Third Avenue, New York, NY 10022. Phone No. - 212-891-1694. Fax No. - 212-891-1699 Filing fee \$ 100, receipt number 0090-4890091. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration in Support, # <u>2</u> Proposed Order)(Hellman, Matthew) (Entered: 03/27/2017)
03/27/2017	<u>5</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name- Michael E. Stewart, :Firm- Jenner & Block LLP, :Address- 1099 New York Avenue, NW, Suite 900, Washington, D.C. 20001. Phone No. - 202-637-6329. Fax No. - 202-639-6066 Filing fee \$ 100, receipt number 0090-4890116. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration in Support, # <u>2</u> Proposed Order)(Hellman, Matthew) (Entered: 03/27/2017)
03/28/2017		Case Assigned to Judge Tanya S. Chutkan. (sb) (Entered: 03/28/2017)
03/28/2017	<u>6</u>	SUMMONS (4) Issued Electronically as to UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u>

		Consent Form)(sb) (Entered: 03/28/2017)
03/28/2017	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Alex Abdo, :Firm– Knight First Amendment Institute at Columbia University, :Address– 535 West 116th Street, 314 Low Library, New York, NY 10027. Phone No. – 2128549600. Fax No. – 2128547997 Filing fee \$ 100, receipt number 0090–4891896. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Jaffer, Jameel) (Entered: 03/28/2017)
03/28/2017	<u>8</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Katherine Fallow, :Firm– Knight First Amendment Institute at Columbia University, :Address– 535 West 116th Street, 314 Low Library, New York, NY 10027. Phone No. – 2128549600. Fax No. – 2128547997 Filing fee \$ 100, receipt number 0090–4891942. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Jaffer, Jameel) (Entered: 03/28/2017)
04/07/2017	<u>9</u>	NOTICE of Appearance by David Michael Glass on behalf of All Defendants (Glass, David) (Entered: 04/07/2017)
04/18/2017		MINUTE ORDER: Granting <u>3</u> <u>4</u> [<u>5</u>] [<u>7</u>] [<u>8</u>] Motions for Leave to Appear Pro Hac Vice. Susan Kohlmann, Caroline M. DeCell, Michael E. Stewart, Alexander Abraham Abdo and Katherine Amy Fallow are hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff. Signed by Judge Tanya S. Chutkan on 4/18/17. (DJS) (Entered: 04/18/2017)
04/19/2017	<u>10</u>	AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, UNITED STATES CUSTOMS AND BORDER PROTECTION filed by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Summons)(Hellman, Matthew) (Entered: 04/19/2017)
04/19/2017	<u>11</u>	NOTICE of Appearance by Joshua Harris Rubin on behalf of KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Rubin, Joshua) (Entered: 04/19/2017)
04/20/2017	<u>12</u>	SUMMONS (1) Issued Electronically as to UNITED STATES CUSTOMS AND BORDER PROTECTION. (Attachments: # <u>1</u> Consent Forms)(zrdj) (Entered: 04/20/2017)
04/28/2017		MINUTE ORDER: Granting <u>7</u> Motion for Leave to Appear Pro Hac Vice. Alexander Abraham Abdo is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff. Signed by Judge Tanya S. Chutkan on 4/28/17. (DJS) (Entered: 04/28/2017)
05/03/2017	<u>13</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT served on 4/3/2017 (Hellman, Matthew) (Entered: 05/03/2017)
05/03/2017	<u>14</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/3/2017. Answer due for ALL FEDERAL DEFENDANTS by 5/3/2017. (Hellman, Matthew) (Entered: 05/03/2017)
05/03/2017	<u>15</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 04/03/2017. (Hellman, Matthew) (Entered: 05/03/2017)
05/03/2017	<u>16</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES CUSTOMS AND BORDER PROTECTION served on 4/24/2017 (Hellman, Matthew) (Entered: 05/03/2017)
05/03/2017	<u>17</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF HOMELAND SECURITY served on 4/3/2017 (Hellman, Matthew) (Entered: 05/03/2017)

05/03/2017	<u>18</u>	ANSWER to <u>10</u> Amended Complaint, by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. Related document: <u>10</u> Amended Complaint, filed by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY. (Attachments: # <u>1</u> Ex. List, # <u>2</u> Ex. A, # <u>3</u> Ex. B, # <u>4</u> Ex. C, # <u>5</u> Ex. D, # <u>6</u> Ex. E, # <u>7</u> Ex. F, # <u>8</u> Ex. G, # <u>9</u> Ex.H, # <u>10</u> Ex. I, # <u>11</u> Ex. J, # <u>12</u> Ex. K)(Glass, David) (Entered: 05/03/2017)
05/04/2017	<u>19</u>	NOTICE of Appearance by Scott B. Wilkens on behalf of KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Wilkens, Scott) (Entered: 05/04/2017)
05/16/2017		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order not later than 6/6/17. Signed by Judge Tanya S. Chutkan on 5/16/17. (DJS) (Entered: 05/16/2017)
05/18/2017		Set/Reset Deadlines: Joint Status Report due by 6/6/2017. (tb) (Entered: 05/18/2017)
06/02/2017	<u>20</u>	MOTION to Withdraw as Attorney by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration of Joshua H. Rubin, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Rubin, Joshua) (Entered: 06/02/2017)
06/06/2017	<u>21</u>	Joint STATUS REPORT by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 06/06/2017)
06/08/2017		MINUTE ORDER: Granting <u>20</u> Motion to Withdraw. The Clerk of the Court shall terminate Attorney Joshua Harris Rubin as counsel for the Plaintiff. Signed by Judge Tanya S. Chutkan on 6/8/17. (DJS) (Entered: 06/08/2017)
06/08/2017		MINUTE ORD: Having considered the parties' Joint Status report, it is hereby ordered that the parties shall file another Joint Status Report (and proposed order) by 8/14/17. Signed by Judge Tanya S. Chutkan on 6/8/17. (DJS) (Entered: 06/08/2017)
06/09/2017		Set/Reset Deadlines: Status Report (and proposed order) due by 8/14/17. (jth) (Entered: 06/09/2017)
08/03/2017	<u>22</u>	NOTICE of Change of Address by Caroline M. DeCell (DeCell, Caroline) (Entered: 08/03/2017)
08/14/2017	<u>23</u>	Joint STATUS REPORT (<i>Second</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 08/14/2017)
08/17/2017		MINUTE ORDER: Having considered the parties' Joint Status Report <u>23</u> it is hereby ordered that the parties shall file another joint status report and proposed order by October 16, 2017, and every 45 days thereafter. Signed by Judge Tanya S. Chutkan on 8/17/17. (DJS) (Entered: 08/17/2017)
08/22/2017		Set/Reset Deadlines: Joint Status Report due by 10/16/2017. (tb) (Entered: 08/22/2017)
10/16/2017	<u>24</u>	Joint STATUS REPORT (<i>Third</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 10/16/2017)

11/30/2017	<u>25</u>	Joint STATUS REPORT (<i>Fourth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 11/30/2017)
01/16/2018	<u>26</u>	Joint STATUS REPORT (<i>Fifth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 01/16/2018)
01/31/2018	<u>27</u>	NOTICE of Change of Address by Alexander Abraham Abdo (Abdo, Alexander) (Entered: 01/31/2018)
02/09/2018		MINUTE ORDER: A status conference is hereby set for 2/16/18 at 10:15 am in Courtroom 9. Signed by Judge Tanya S. Chutkan on 2/9/18. (DJS) (Entered: 02/09/2018)
02/12/2018		Set/Reset Hearings: Status Conference set for 2/16/2018 at 10:15 AM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 02/12/2018)
02/13/2018		Set/Reset Hearings: Status Conference set for 02/16/18 is now RESCHEDULED to 2/21/2018 at 11:15 AM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 02/13/2018)
02/21/2018		Minute Entry: Status Conference held on 2/21/2018 before Judge Tanya S. Chutkan: Parties are ordered to continue to meet and confer regarding the scope of search requests and the format of documents produced. Parties will file a joint status report on 03/02/18. (Court Reporter Bryan Wayne) (tb) Modified on 2/21/2018 (tb). (Entered: 02/21/2018)
02/26/2018		MINUTE ORDER: The parties shall file a joint status report by 5/21/18 along with a proposed order. Signed by Judge Tanya S. Chutkan on 2/26/18. (DJS) (DJS) (Entered: 02/26/2018)
02/27/2018		Set/Reset Deadlines: Joint Status Report due by 5/21/2018. (tb) (Entered: 02/27/2018)
03/04/2018	<u>28</u>	TRANSCRIPT OF 2/21/18 STATUS HEARING before Judge Tanya S. Chutkan held on February 21, 2018. Page Numbers: 1–13. Date of Issuance: March 4, 2018. Court Reporter: Bryan A. Wayne. Transcripts may be ordered at www.dcd.uscourts.gov . For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov . Redaction Request due 3/25/2018. Redacted Transcript Deadline set for 4/4/2018. Release of Transcript Restriction set for 6/2/2018.(Wayne, Bryan) (Entered: 03/04/2018)
05/21/2018	<u>29</u>	Joint STATUS REPORT (<i>Sixth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 05/21/2018)
05/24/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>29</u> , it is hereby ordered that the parties shall file another joint report and proposed order by June 29, 2018. At a minimum, the report shall set forth: (1) the efforts of the parties to define the search that DHS is required to conduct; (2) the scope of CBP's response to Item 2(b), including the sampling methodology utilized and status of the parties' discussions regarding criteria for the identification of additional reports; and (3) the rate at which DHS and CBP will process records in view of the order dated May 14, 2018, in <i>DHS v. Muslim Advocates</i> , No. 1:17–cv–00813–TSC (D.D.C.). Signed by Judge Tanya S. Chutkan on 5/24/18. (DJS) (Entered: 05/24/2018)

05/25/2018		Set/Reset Deadlines: Joint Status Report due by 6/29/2018. (tb) (Entered: 05/25/2018)
06/29/2018	<u>30</u>	Joint STATUS REPORT (<i>Seventh</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 06/29/2018)
07/17/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>30</u> , it is hereby ordered that the parties shall file another joint report by August 2, 2018 and every 60 days thereafter. To the extent the report contains a proposed production or briefing schedule, the parties shall include a proposed order. Signed by Judge Tanya S. Chutkan on 7/17/18. (DJS) (Entered: 07/17/2018)
07/19/2018		Set/Reset Deadlines: Joint Status Report due by 8/2/2018. (tb) (Entered: 07/19/2018)
08/02/2018	<u>31</u>	Joint STATUS REPORT (<i>Eighth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 08/02/2018)
08/13/2018		MINUTE ORDER: A Status Conference is hereby set or 8/22/18 at 12:15 pm in Courtroom 9. Signed by Judge Tanya S. Chutkan on 8/13/18. (DJS) (Entered: 08/13/2018)
08/15/2018		Set/Reset Hearings: Status Conference set for 8/22/2018 at 12:15 PM in Courtroom 9 before Judge Tanya S. Chutkan. (tb) (Entered: 08/15/2018)
08/22/2018		Minute Entry: Status Conference held on 8/22/2018 before Judge Tanya S. Chutkan: Defendant's search should be completed by 10/1/2018. Joint Status Report due by 10/8/2018. (Court Reporter Bryan Wayne) (tb) (Entered: 08/22/2018)
10/09/2018	<u>32</u>	Joint STATUS REPORT (<i>Ninth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 10/09/2018)
10/25/2018	<u>33</u>	ORDER: Upon consideration of the <u>32</u> Ninth Joint Status Report, the parties are ORDERED to file another joint status report and proposed order by December 10, 2018. See Order for further details. Signed by Judge Tanya S. Chutkan on 10/25/18. (lctsc3) (ztb). (Entered: 10/25/2018)
10/30/2018		Set/Reset Deadlines: Joint Status Report due by 12/10/2018. (tb) (Entered: 10/30/2018)
12/10/2018	<u>34</u>	Joint STATUS REPORT (<i>Tenth</i>) by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Glass, David) (Entered: 12/10/2018)
12/11/2018	<u>35</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Daniela Nogueira, :Firm– Knight First Amendment Institute at Columbia University, :Address– 475 Riverside Drive, Suite 302, New York, NY 10115. Phone No. – 6467458500. Filing fee \$ 100, receipt number 0090–5832785. Fee Status: Fee Paid. by KNIGHT FIRST AMENDMENT INSTITUTE AT COLUMBIA UNIVERSITY (Attachments: # <u>1</u> Declaration, # <u>2</u> Text of Proposed Order)(Jaffer, Jameel) (Entered: 12/11/2018)
12/13/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>34</u> , it is hereby ordered that the parties shall file another joint report by 2/15/19 and every 60 days thereafter. To the extent the parties are unable to agree on how to proceed or to the extent the parties propose a briefing schedule, the joint status report shall also include a proposed order. Signed by Judge Tanya S. Chutkan on 12/13/18. (DJS) (Entered: 12/13/2018)
12/13/2018		MINUTE ORDER: Granting <u>35</u> Motion for Leave to Appear Pro Hac Vice. Attorney Daniela Nogueira is hereby admitted pro hac vice to appear in this matter on behalf of Plaintiff. Signed by Judge Tanya S. Chutkan on 12/13/18. (DJS) (Entered: 12/13/2018)
12/17/2018		Set/Reset Deadlines: Joint Status Report due by 2/15/2019. (tb) (Entered: 12/17/2018)

01/21/2019	<u>36</u>	MOTION to Stay <i>All Proceedings in Light of Lapse of Appropriations</i> by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Glass, David) (Entered: 01/21/2019)
01/22/2019		MINUTE ORDER: Granting <u>36</u> Motion to Stay. All proceedings in this case are STAYED until Congress restores appropriations to the Department of Justice, Department of Homeland Security, U.S. Customs and Border Protection, and U.S. Immigration and Customs Enforcement. All current deadlines in this case are extended commensurate with the duration of the lapse in appropriations. The Defendant shall file a notice advising the court within 14 days after appropriations are restored. Signed by Judge Tanya S. Chutkan on 1/22/19. (DJS) (Entered: 01/22/2019)
01/30/2019	<u>37</u>	NOTICE of <i>Restoration of Appropriations</i> by UNITED STATES CUSTOMS AND BORDER PROTECTION, UNITED STATES DEPARTMENT OF HOMELAND SECURITY, UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Glass, David) (Entered: 01/30/2019)